

REMARKS

Status of the Claims

By way of the above amendments, claims 36, 41-45, 56, 61-66, and 69-74 are hereby amended, and new claims 75-84 have been added. As such, claims 36, 39-45, 56, and 59-84 are presently pending. Entry of this amendment is respectfully requested. A current claim listing is presented above with status identifiers for each claim, in accordance with 37 C.F.R. §1.121(c).

No new matter is introduced by this amendment. For example, claims 41, 44-45, 61, 64-65, 69, and 72-73 are amended merely to maintain proper antecedent basis. Saliva and buccal cells (as recited in amended claims 42, 62, and 70) are set forth on page 46 (lines 30-31) of the specification (which recites saliva and buccal swabs). The term “correlating” (as recited in new claims 79-84) is used at least in original claim 1 (“correlated”). Computer software (as recited in new claims 80, 82, and 84) is described at least in the “Computer-Related Embodiments” section of the specification (pp. 114-118).

Withdrawn rejections

Applicants acknowledge that the rejection of claims 36, 39-45, 56, and 59-65 under 35 USC §112, second paragraph (indefiniteness), and the rejection of claims 1 and 29-35 under 35 USC §112, first paragraph (written description), have been withdrawn.

New rejections under 35 USC §112, first paragraph (written description)

The Examiner rejected claim 74 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. In making this rejection, the Examiner states that the term ‘rs2276864’ (in claim 74) is new matter and is an improper incorporation by reference.

Claim 74 is hereby amended to recite the “hCV163035” SNP identification number (instead of rs2276864), which is explicitly specified in Table 2 of the instant application and does not reference an external database, thus obviating this rejection.

Accordingly, it is respectfully requested that the rejection under 35 USC §112, first paragraph (written description), be reconsidered and withdrawn.

Maintained rejection under 35 USC §112, first paragraph, scope of enablement

Claims 36, 39-45, 56, and 59-74 are rejected under 35 USC §112, first paragraph (scope of enablement), because the specification, while being enabling for certain subject matter, allegedly does not enable any person skilled in the art to make and use the invention commensurate in scope with these claims.

To expedite prosecution, claims 36, 56, 66, and 74 have been amended so as to be commensurate with the scope that the Examiner indicated *is* enabled. For example, these claims have been amended to clearly set forth whether each specified nucleotide is at position 101 of SEQ ID NO:5502 or is at position 101 of the *complement of* SEQ ID NO:5502, and to specify that a G/G genotype at position 101 of SEQ ID NO:5502 (or a C/C genotype at position 101 of its complement) indicates an increased risk for developing RF+ RA

Accordingly, it is respectfully requested that the rejection under 35 USC §112, first paragraph (scope of enablement), be reconsidered and withdrawn.

Conclusions

In conclusion, in light of the amendments and remarks above, Applicants submit that the present application is fully in condition for allowance.

The Examiner is invited to contact the undersigned via telephone if a phone interview would expedite the prosecution of the instant patent application.

Respectfully submitted,

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